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April 4, 2012

SENT BY FAX

Honorable Paul G. Gardephe  
United States District Judge  
United States District Court for the  
Southern District of New York  
500 Pearl St.  
New York NY 10007-1312

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**Re: Klauber Brothers, Inc. v. Russell-Newman, Inc., and The Bon-Ton Stores, Inc., Civil Action No. 11-Civ-4985 (PGG)**

Dear Judge Gardephe:

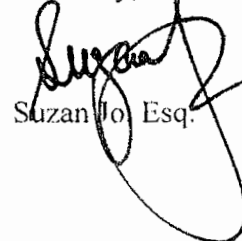
We are counsel to Defendant The Bon-Ton Stores, Inc. ("Bon-Ton"). We write in accordance with the Court's instructions to propose the following briefing schedule for Bon-Ton's Motion to Dismiss:

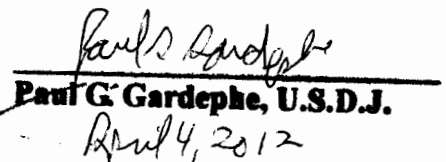
|                                      |                        |
|--------------------------------------|------------------------|
| Motion to Dismiss due:               | Monday, April 30, 2012 |
| Opposition to Motion to Dismiss due: | Friday, May 18, 2012   |
| Reply to Motion to Dismiss due:      | Friday, May 25, 2012   |

The undersigned has conferred with counsel for Plaintiff, Philip H. Gottfried, Esq., who agreed to the proposed briefing schedule.

**SO ORDERED:**

Sincerely,

  
Suzan Jo, Esq.

  
**Paul G. Gardephe, U.S.D.J.**  
April 4, 2012

cc: Philip H. Gottfried, Esq. (by Fax)  
Vanessa C. Hew, Esq. (by Email)  
Terry Parker, Esq. (by Email)

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